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## SOCIOLOGICAL NOTES.

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**Report of French Commission on Vagabondage.\***—The French government has been investigating vagabondage. Under the Meline ministry, says Mr. C. A. Healy, in the *London Review*, a commission was appointed, of which Senator de Mercère was made chairman and whose report has been recently made public. Its results are herewith summarized:

Paris is still the hotbed of vagabondage, and foreigners are to some extent responsible for it by reason of their yielding to the vagabonds' importunities. The business is apparently profitable. Some six years ago, when the sale of an issue of government bonds occurred, a long line of beggars stood in waiting before the Credit Lyonnais to invest the proceeds of their mendicancy.

The commission classifies this portion of the population as (1) unfortunates given to begging to tide themselves over hard times, that is, *occasional* beggars; (2) *habitual* beggars, who ply their art as a trade in pursuit of which they wander from place to place. Of course, Paris is the pick of the land for this class. Hither the great army of French vagabonds congregate. These vagabonds, thus distinguished, are divided into three classes or kinds: (a) men without regular work, resources or domicile; (b) tramps (*chemineaux*—roadsters), and (c) street singers. The importunate vender of small articles at street-corners does not seem to come within the scope of the commission's classification. The dangerous class is comprised of those who use deceit in their operations. "The most deceitful manner in which they guise themselves very often conceals escaped criminals, condemned persons who have escaped or defeated arrest, men who have been expelled, persons who have been forbidden to live in certain districts—in a word, those who live on the margin of regular society."

The growth of vagabondage in France is to no small extent due to the want of any effective law to punish this class of offenders. The old system of workhouse passports has long since been abolished. The general hospitals of Louis XIV's time (houses of correction), as well as the *Depôts de Mendicité* by which Napoleon declared that he was about to extinguish begging by congregating beggars in correctional establishments, have both failed to stand the test of the popular sense of individual liberty. The law on

\*Contributed by John Franklin Crowell, Ph.D., London, England.

the subject provides (Art. 274, Penal Code), that "All persons who shall be found begging in any district for which there is a public establishment (refuge) organized to obviate begging, shall be punished with from three to six months imprisonment, and after the expiration of the penalty shall be placed in the *Dépôt de Mendicité*." This means a life-sentence for begging or vagabondage; but in actual administration the law is not enforced, because the punishment is so far out of proportion to the offence as to outrage the sense of justice which pervades the civil and the legal mind. The result is that so many vagabonds have been released by the magistrates after arrest by the police, that the police have practically ceased to apprehend them.

The *Commission sur la Mendicité* calls for the following remedies:

(1) More vigorous powers for the tribunals now too feebly endowed to repress vagabondage.

(2) Banishment to the colonies in certain cases.

(3) Special penitentiary colonies to be organized for vagabonds.

(4) State intervention to create institutions where men of good will without work may work in exchange for food and shelter.

By way of definition of offence and offender, it is proposed not to punish vagrancy, as such as an offence against the law, but to punish with extraordinary severity any transgression of law or invasion of liberty which members of the vagabond class may commit. In a word, the purpose is to permit vagabondage as a marginal form of civil liberty. The idle vagabond by choice is to be given a status which the police are bound to respect, but on the basis of which "any individual who, under pretext of indigence, shall molest any one, or enter without permission into any habitation to demand food by violence, or exercise violence on the highway, shall be punished with imprisonment from fifteen days to five years, according to the case."

**The Liquor Problem.**—Two items of interest in connection with the study of the legislation pertaining to the control of the liquor traffic are to be noted. In the first place the experience of the State of New York in carrying out its new excise law is being watched with great interest. The report of the State Commissioner of Excise for the fiscal year ending September 30, 1897, was transmitted in its complete form to the legislature January 17, 1898. Some account of what this report contains, taken from the advance sheets issued by the State Commissioner, was published in the *ANNALS*, Vol. XI, p. 293, March, 1898. The complete report has just been issued and comprises an octavo volume of 837 pages. In addition to the items covered by this report, to which attention has already been called, it may be noted here that it contains a statement and map of the state showing

the result of the vote in every town on the local option questions submitted. It gives also a digest and table of cases decided and reported under the Liquor Tax Law, and also a synopsis of the liquor laws in every state and territory in the Union, with a concise statement of the results obtained under these several types of legislation.

Relating also to the conditions in New York State, it is to be noted that a second edition of the Report of the Committee of Fifty, treating of "The Liquor Problem in Its Legislative Aspects," a volume prepared by Messrs. Frederick H. Wines and John Koren under the direction of a sub-committee of the Committee of Fifty, composed of President Eliot, of Harvard, President Low, of Columbia University, and James C. Carter, Esq., of New York City, has been issued and contains a new chapter with the title, "The Operation of the New York Liquor Tax Law." Other items bringing the data down to date concerning the legislation and its enforcement in South Carolina, Massachusetts and Pennsylvania have been added. The value of a report of this character, compiled under careful supervision and under circumstances which admitted of no sparing of pains or expense to get at the facts in the case, cannot but be appreciated by every thoughtful reader no matter what his personal opinions and preferences may be.

Turning from this record of experience in New York we have to note also the appearance of the Twelfth Annual Report of the Commissioner of Labor, a small volume devoted entirely to the topic, "Economic Aspects of the Liquor Problem." Here the results of a broad national investigation, conducted by the Department of Labor, are given. Chapters in the report are devoted to the production of liquors, to the consumption of liquors, to the traffic in liquors, to the revenue from such production and traffic, the experience and practice of employers relative to the use of intoxicants, a number of general tables indicating the capital invested and taxes paid by this traffic, and, finally, a summary of the laws regulating the revenue derived from liquor production and traffic throughout the several states of the Union. A copy of this report may be had by addressing the Commissioner of Labor, Washington, D. C.

**Public Charities in Massachusetts.**—As has already been noted in these columns, many public-spirited citizens of Boston felt that the good work begun by the Commission on State Charitable and Reformatory Institutions would be likely to be carried out only provided there was considerable vigilance on their part, or on that of voluntary associations. A special association has been formed, known as the Association on the Report of the Commission on State Charitable and Reformatory Institutions. The executive committee of this

association issued a report in July, 1898, in which the result of a year's work is summed up as follows:

"The principal changes in our system of Public Charity recommended by the Commission and urged by this association were:—

The creation of a Department for Children.

The creation of a State Board of Insanity.

State care and support of the pauper insane.

A simplification of the settlement laws, and their modification so as to throw the burden more on the town of residence and less on the state and on other towns.

"The legislation this year, in the line of these recommendations, has been as follows:—

"The State Board of Insanity has been created. The State Board of Lunacy and Charity practically withdrew its opposition of last year, and with such withdrawal the last obstacle in the way of this reform was removed.

"Provision for the state care and support of the pauper insane was not made by the legislature, but one of the duties specifically assigned to the State Board of Insanity is to report by the first Wednesday in January, 1900, a detailed plan for the purpose, thus providing for what must in any case have been the first step toward this needed improvement.'

The statement was also made that the settlement laws had been simplified by a reduction of the time needed for acquiring a settlement from five years to three, but our correspondent in Boston writes that this statement is an error.\*

\*As to the workings of the new settlement law the following report of one of the first cases to come up is of interest and is taken from the *Boston Herald* of October 21, 1898:

"A case has arisen in Salem in the poor department which comes within the new state law relative to 'residence.' It is of interest because this law is a very important one, and a radical change from the old law. Secretary Brown of the Salem poor department makes the following interesting statement:

"By these laws, in order to gain a settlement in the state, a man must live for five years continuously in the same town, without receiving public aid, and pay within five years all taxes assessed upon him for three of the five years. A woman gains it by five years' continuous residence in the same town without public aid.

"Legitimate children take the settlement of the father, if he has any, and of the mother if he has not, and follow their parents' settlement until they arrive at the age of 21 years. Illegitimate children take the settlement of the mother at the time of birth, and cling to that settlement until they are 21, and gain one for themselves.

"Service for one year as an overseer of the poor, as a constable and as a settled ordained minister also gives a man a settlement.

"All settlements gained previously to May 1, 1860, are defeated and lost by the

Some light is thrown upon the curious controversy over the subject of a special department for children in the following paragraph of the report of the executive committee:

"The Children's Department was defeated, but by so narrow a margin that the defeat is not a cause for discouragement. The vote in the Committee on Public Charitable Institutions was five in favor of the measure to six against it. The failure to substitute the bill in the House was by a tie vote. The bill was substituted in the Senate by a majority of four, and defeated in the Senate, June 8, by a majority of four.

"An analysis of the vote shows the defeat to have been a less conclusive one even than would appear upon the face of the figures. It shows that the adverse vote was very largely the result of religious prejudice and of the personal influence of a few officials. The opposition in both of these cases was, we believe, largely the result of misunderstanding, and therefore not likely to be permanent. The Catholic vote was against the bill, seven to naught in the Senate, and about forty-four to three in the House; the vote of the other members standing for the bill, fifteen to twelve in the Senate, and about 106 to sixty-four in the House.\* It is at least reasonable to suppose that the Catholic opposition was in part due to the repeated assertion in the press by a member of the State Board of Lunacy and Charity that the measure formed a part of an alleged anti-Catholic movement. As this assertion is wholly without foundation, it is not probable that it will permanently remain an effective argument. We would call the special attention of our Catholic members to this phase of the situation.

"The prominence of certain localities in the defeat of the measure

present laws. If a person is absent from the state for 10 successive years he loses his settlement.

"Previous to July 1, the laws made and encouraged hereditary pauperism, settlements being claimed generation after generation by descendants of some person who gained a settlement 70 or 100 years before. Now, a woman is legally responsible for the support of the children and can be held to answer to a civil process, while the father can be held to answer to both criminal and civil process.

"These changes have entailed much investigation upon the poor departments of the state to determine the settlement under the changed laws of persons now receiving aid.

"In Salem a marked change is apparent already, many families who for generations have been receiving aid at the expense of Salem now being chargeable to some other town or to the state.

"Perpetual pauperism, hereditary, running through generations of families, has not been an uncommon experience in Puritan Massachusetts under former laws. Now the chain is broken, and May 1, 1860, has been made the date at which a settlement must begin to be acquired."

\* The House vote was on substituting the measure for the adverse report of the committee, that is to say, on the question whether it should be considered.

was very noticeable. The members and senators from one city, in which a member of the board and one of its agents reside, voted unanimously against the bill. The same city contributed three of the adverse speeches and one of the six adverse votes in the committee. It has had a member on the Committee on Public Charities for the past six years—as far back as we have examined the records—and in one of those years it had two. This year's member of the committee from the city in question was absent from practically all of the hearings, but announced that he had promised before his election that he would vote against the bill.

“Of the six adverse votes in the committee, three came from constituencies where members of the board, or one or more of its employes in the department having care of the children reside. Of the remaining three, two were of members who openly favored the bill when the hearings closed, and who both stated that their subsequent vote against it was because the sectarian issue had been raised,—this issue having been injected into the discussion by a member of the State Board after the hearings were over. The remaining adverse vote was of a member who, we are informed by one of his constituents, is a personal friend and relative of an agent of the board.

“There is nothing surprising in this evident powerful effect of members and employes of the board upon their own representatives, still less is its existence a proof of any improper use of influence. But the extent to which the opposition was of this personal nature is encouraging to us, from the fact that such opposition arose largely from misapprehension. We are credibly informed that employes and their friends represented to the members that if the bill went through they would lose their positions, and members of the board have all along treated the movement as a personal affront to them. As it becomes apparent to the members and employes of the board and to others that the movement is not of the sort which they supposed, it is reasonable to believe that this opposition will sensibly diminish.

“It is subject for congratulation and encouragement that so far as the bill was considered upon its merits, apart from personal influence and sympathy and sectarian prejudice, it secured a handsome majority of the vote. Nevertheless, we must not suppose that the campaign of education is now completed. There remain a large number of members of the General Court who voted against the measure because they were not convinced of the existence of a sufficient reason for its passage. The members of this association have much work yet to do in creating such conviction.”

It may also be stated that this voluntary association now numbers 1100 members indicating a considerable interest in the community in

seeing the work of the state commission completed. It is also proposed that the organization should be made permanent, and an outline of its future work contains the following items:

"The securing of a special board for children and the consequent relieving of the supervisory board from executive work—thus leaving it free to devote itself to its true function of stimulating and encouraging the work of the state executive boards (which govern the State Almshouse and State Farm, the two reform schools, and the Department for Children) and of the overseers of the poor in our 352 cities and towns, of advising the legislature, and of furnishing the public with facts upon which intelligent opinions can be based—is only a preliminary step to the gradual improvement of our system and the administration of it, in the whole matter of the treatment and prevention of pauperism. Our experience of two years, both in what we have accomplished and in what we have failed so far to accomplish, has conclusively shown the need of such an association as ours in order to bring about this improvement. The influence of the association has been demonstrated, not only by the essential part which it has taken in securing the legislative reforms above enumerated, but also in improvements effected in the care of the state's minor wards on the part of the State Board—improvements which members of the board have admitted to be due to criticisms made on behalf of the association at legislative hearings. On the other hand, the defeat of the Board of Insanity and of the Department for Children last year, and of the Department for Children this year, has shown how difficult it is to secure a reform, however necessary and however strongly supported by those best fitted to judge of its merits, against the opposition of certain officials. In other words, we have seen that needed and obvious improvements have waited until outside agitation has forced them upon official attention, and, secondly, that such outside agitation, if of a temporary nature, is unable to cope with official opposition. A State Board of Charity properly constituted would be a great aid to progressive work and legislation; but a voluntary association must always be valuable in supplementing official action, being much more free to conduct a public agitation than any official body can be, even under the most favorable circumstances."

The association believes that at present it should do all in its power to co-operate with the State Board of Insanity in bringing about the state care and support of the pauper insane, and in continuing to urge the creation of a Department for Children.